

United States District Court  
Western District of New York

United States of America,

*Plaintiff* vs. **RESPONDING AFFIDAVIT**

Lorenzo Hunt

10-Cr-239-S

*Defendant*

JAMES P. HARRINGTON, ESQ., affirms under the penalty of perjury:

1. I was assigned to represent Lorenzo Hunt as learned counsel on the above indictment when Mr. Hunt's case was a potential death penalty prosecution.

2. The government has now advised the Court that it would not seek the death penalty against Mr. Hunt.

3. A motion has been made by the government asking the Court to remove learned counsel from Mr. Hunt's case and other co-defendants' cases in this indictment where the government has also declared that it would not seek the death penalty.

4. I have conferred with Barry Covert, Esq., my co-counsel for Mr. Hunt, and we agree that I should be removed as counsel for Mr. Hunt.

5. Although the charges against Mr. Hunt are extremely serious, his case is not that complex that two counsel are needed to represent him now that the case is non-capital. This is especially true because of the quality of representation provided by Mr. Covert in his cases.

6. This affirmation applies solely to Mr. Hunt's representation and should not be considered by the Court with respect to any determination of the complexity of any co-defendants' cases and whether there is a need for two counsel to continue for those defendants.

Dated: January 2, 2013

/s/ James P. Harrington

James P. Harrington  
**harrington ☘ mahoney**  
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United States District Court  
Western District of New York

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United States of America,

*Plaintiff*

v.

CERTIFICATE OF SERVICE

Lorenzo Hunt,

10-Cr-239-S

*Defendant*

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Denise M. Dzierzewski, an employee with the law firm of Harrington & Mahoney with an office located at 70 Niagara Street, Third Floor, Buffalo, New York 14202-3407 states that on January 2, 2013 **RESPONDING AFFIRMATION** was electronically filed with the Clerk of the District Court using its CM/ECF system, which would then electronically notify the following CM/ECF participants on this case:

1. Assistant United States Attorney Joel Violanti
2. All other counsel.

/s/ Denise M. Dzierzewski

Denise M. Dzierzewski

Sworn before me this  
2<sup>nd</sup> day of January, 2013.

/s/ Ivonne DeLuca

Ivonne DeLuca  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires 9/7/13